

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA,	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO.
	§	
\$15,242.00 IN U.S. CURRENCY,	§	
Defendant in rem	§	

VERIFIED COMPLAINT FOR FORFEITURE IN REM

United States of America, Plaintiff, files this action for forfeiture against approximately \$15,242.00 in United States currency, Defendant in rem, and alleges the following.

Nature of the Action

1. This is an action to forfeit property to the United States pursuant to 31 U.S.C. §5317(c)(2).

Defendant in Rem

2. Defendant in rem is approximately \$15,242.00 in United States currency that was seized from Nobby Chipso Mambo on May 2, 2010, at the George Bush Intercontinental Airport in Houston, Texas.

Jurisdiction and Venue

3. This Court has jurisdiction under 28 U.S.C. §1355 because this is an action for forfeiture.

4. Venue is proper in this Court under 28 U.S.C. §§ 1355 and 1395(a) and (b) because:

- a. the acts or omissions giving rise to the forfeiture occurred in the Southern District of Texas;
- b. the property was found in the Southern District of Texas; and
- c. this forfeiture action accrued in the Southern District of Texas.

Basis for Forfeiture

5. The Defendant in rem is subject to forfeiture pursuant to 31 U.S.C. § 5317(c)(2) which provides that any property involved in violations of 31 U.S.C. §§ 5316 and 5324(c) may be forfeited to the United States. These statutes state in pertinent part that:

- 1) a person shall file a report when the person knowingly transports, is about to transport, or has transported a monetary instrument of more than \$10,000 out of the United States. 31 U.S.C. § 5316(a)(1)(A);
- 2) no person shall, for the purpose of evading the reporting requirements of 31 U.S.C. § 5316, fail to file a report required by 31 U.S.C. § 5316. 31 U.S.C. § 5324(c)(1);
- 3) no person shall, for the purpose of evading the reporting requirements of 31 U.S.C. § 5316, file a report required by 31 U.S.C. § 5316 that contains a material omission or misstatement of fact. 31

U.S.C. § 5324(c)(2).

Facts

6. On May 2, 2010, Nobby Chipu Mambo was about to leave the United States aboard Lufthansa Airlines flight number 441 to Frankfurt, Germany, en route to Zimbabwe, at the George Bush Intercontinental Airport in Houston, Texas. In the jetway for this flight, a United States Customs and Border Protection Officer (CBP Officer) conducted a Customs outbound inspection. The CBP Officer asked Mr. Mambo if he was transporting more than \$10,000 in cash or monetary instruments for himself or anyone else. Mr. Mambo said that he was carrying only \$4,000. He also confirmed in writing that he was carrying only \$4,000.

7. A CBP Officer directed Mr. Mambo to an inspection table for verification of the funds that he declared. At the inspection table, a CBP Officer asked Mr. Mambo to place all of his currency on the table. Mr. Mambo pulled out a money belt containing five envelopes with currency inside each envelope. On each envelope was written the amount of currency in the envelope. CBP Officer counted all of the money and found that Mr. Mambo was carrying \$15,242. CBP Officers seized these funds for forfeiture. Mr. Mambo stated that he was aware of the currency that he was carrying but decided to only declare \$4,000.

Relief Requested

8. Plaintiff requests (a) an arrest warrant and summons pursuant to Rule G, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, (b) a judgment of forfeiture, (c) costs, and (d) other relief to which the Plaintiff may be entitled.

Dated: May 27, 2010.

Respectfully submitted,

José Angel Moreno
United States Attorney

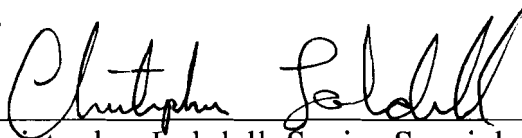
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Verification

I, Christopher Lobdell, Senior Special Agent, United States Immigration and Customs Enforcement, declare under penalty of perjury as provided by 28 U.S.C. §1746 that I have read this Verified Complaint for Forfeiture in Rem, and the facts stated in this complaint are true and correct to the best of my knowledge

and belief.

Executed on May 27, 2010.



Christopher Lobdell, Senior Special Agent
U. S. Immigration and Customs Enforcement